

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff

-v-

10-CV-855-S

\$10,310.00 UNITED STATES CURRENCY,

Defendant.

ORDER FOR SETTLEMENT

Upon review of the Stipulated Settlement previously filed in this action, it is hereby

ORDERED, that the sum of \$6,186.00 United States currency from the total amount of \$10,310.00 United States currency that was seized by law enforcement officers on or about May 20, 2010, is forfeited to the United States of America pursuant to Title 21, United States Code, Section 881(a)(6) and the United States of America shall dispose of said \$6,186.00 in accordance with federal law; and it is further

ORDERED, that the remaining sum of \$4,124.00 United States currency shall be returned to the claimant, Duane Smith, through his attorney, John A. Cappellini, Esq.; and it is further

ORDERED, that the claim that was filed by the claimant, Duane Smith, is discharged and that the claimant is forever barred from filing any further claims to the sum of \$6,186.00 United States currency that is now forfeited to the United States of America; and it is further

ORDERED, that the civil forfeiture action is dismissed; the terms and conditions contained with the previously filed Stipulation are approved by this Court; and that this Court retains jurisdiction of this matter in the event there is a breach as to any of the terms of the Stipulation or this Order.

DATED: Buffalo, New York, March 31, 2011.

s/William M. Skretny
WILLIAM M. SKRETNY
Chief Judge
United States District Court